



City Of San Diego
COUNCILMEMBER JIM MADAFFER
DISTRICT SEVEN

MEMORANDUM

M-07-09-05 Please refer to this number when responding to this memo

DATE: Monday, October 08, 2007

TO: Mayor Jerry Sanders
 Council President Scott Peters
 Honorable City Councilmembers
 City Attorney Mike Aguirre

FROM: Councilmember Jim Madaffer *Jim Madaffer*

SUBJECT: Proposed New Municipal Code Requirements for Automated
 External Defibrillators (AEDs)

For many years I have championed the use of automatic external defibrillators (AEDs) in the City of San Diego in our public places as life saving devices. AEDs or automatic external defibrillators are small, portable devices that help restore the heartbeat of someone undergoing sudden cardiac arrest. They are simple to operate and designed for the public to use. Without an AED, a person has a 5 percent survival rate. With an AED, their survival rate skyrockets to 90 percent.

I'm proud of having helped launch Project Heartbeat in 2001, which installs AEDs in fire stations, life guard facilities, libraries, schools, parks, airports, hotels, colleges, office buildings, government buildings and other places where large numbers of people gather. We have been hugely successful in getting over 3,300 AEDs in public places. My goal continues to be to achieve having AEDs as widely available as fire extinguishers in order to save lives.

In order to engage the local community and to help achieve this goal, similar to fire extinguishers being a staple of most buildings visited by the public, I am proposing new municipal code language that will require AEDs to be installed in new construction in San Diego. The purpose of these ordinance changes would be to create a Citywide AED program that will establish requirements for the installation of, and access to; and

provide for registration and data collection of usage of AEDs. Specifically, the draft municipal code language will be applicable to:

- buildings over three stories or over 10,000 square feet, including office and commercial buildings, medical, dental and out-patient clinics, hotels, motels, restaurants, and common areas of residential condominiums and apartments.
- Additionally AEDs would be required in places of assembly with capacity for over 300 people, educational facilities with over 200 students, and all gyms and fitness facilities in excess of 2,000 square feet.
- The law will require new construction to be pre-wired on all floors with dedicated wall mounts for the AED system, with self acting alarms.
- AED owners would be required to register their equipment with the Fire and Life Safety Department, test it annually, and notify the Fire Department each time the device is used.

I am asking the City Attorney's office to draft the necessary changes in the municipal code so it can be deliberated amongst user groups and interested industry associations, such as BOMA (Building Owners and Managers Association) and other trade interest groups for their review prior to being heard before the City Council's Land Use and Housing Committee. My office will distribute the draft ordinance changes to various industry associations prior to it coming to committee for consideration. I have attached some suggested municipal code language for inclusion in this draft ordinance.

If you have any questions please feel free to contact my office. Thank you for your assistance with this matter.

JM/el

Attachment:

Suggested Language for new Municipal Code for AEDs

cc: Fire Chief Tracy Jarman
City Clerk Liz Maland
San Diego City Firefighters Local 145
San Diego Medical Services Enterprise
Karen McElliott, San Diego Project Heartbeat

DRAFT

Suggested Language for AED Municipal Code

- Automatic External Defibrillator (AED) requirements.

- Automatic External Defibrillator (AED) means a heart monitor and defibrillator that meet the standards and guidelines of both the American Heart Association and/or the American Red Cross. The AEDs must also meet the requirements of the CA state Assembly Bill 2041 (AB2041) as well as the CA state Health and Safety Code and applicable federal law, as amended.
- “AED Owner” means a person or entity that owns or possesses an AED. Vendors or dealers that own or possess AEDs solely for resale are not included as owners for the purposes of this ordinance.
- Duties of the AED Owner.
 - ✓ Any person or entity who presently owns or acquirers an AED on or after the effective date of this (ordinance/municipal code), other than vendors or dealers of AEDs owning or possessing AEDs solely for AED resale purposes shall:
 - ✓ Register the AED with the San Diego County Health and Safety Services Emergency Medical Department/Administrator. The registration shall include information about the AED location, serial number and brand of AED, the names of all persons “expected” to use the AED, dates of training and any other pertinent information as required by the County of San Diego’s Health and Safety, Emergency Medical Department Administrator and/or the Medical Director in charge of the CA state AED program in place.

The AED owner must inspect, test, store, maintain and service the AED in accordance with all federal and state laws and regulations, and in accordance with any standards established by the AED manufacturer or Medical Director in charge of the AED program in place.

- ✓ Notify San Diego County EMS department, at, as soon as possible, but in no event any later than the 24 hours following any implementation of an AED program and use of the AED.. These AED owners must provide the information relevant to any incident that applies to the AED incident. This information will include the date, time and location of the AED use, name of the person utilizing the AED, the name of the person the AED was utilized on, the downloaded printout from the AED device, and

the nature of other Emergency Response to the incident, this information will include the name and address of the hospital provider, clinic, and/or medical provider to which the person was transported following the AED use; and

- Any AED possessed and utilized solely for demonstration or training purposes, and which would not be operational in an actual emergency use simulation, shall be exempt from any registration requirements of this section. Any such AED shall be clearly marked on its exterior and readily identifiable as one appropriate for emergency use.
- AED Sales. All persons selling an AED within the City of San Diego, or which may reasonably be anticipated to be used within the City and County of San Diego, shall;
 - ✓ Report the sale of the AED to County of San Diego Health and Safety Services EMS department. The information to be reported shall include the date of the sale, the manufacturer, model of AED and the serial number of the AED sold. The name and seller of the AED unit and the name of the purchaser, whether the AED sold is new or previously used, and if known, the location of where the AED is to be placed; and
 - ✓ Require that the purchaser of the AED provide proof that it has or will be compliant with the standards and guidelines set forth by the American Heart Association (AHA) and/or the American Red Cross (ARC) training requirements of this “municipal code/ordinance”, at the time of transfer of the AED to the purchaser for deployment and use by the purchaser.
- AED Required Locations. Installation of AEDs is applicable to new construction in buildings over three stories or over 10,000 square feet, including but not limited to office and commercial buildings, medical and out-patient clinics, hotels, motels, residential condominiums and apartments, and restaurants.
- Additionally AED should be required in places of assembly with capacity for over 300 people, educational facilities with over 200 students, gyms and fitness facilities in excess of 2,000 square feet.
- It should require new construction to be pre-wired on all floors with dedicated wall mounts for the AED system, with self acting alarms.
- AED owners should be required to register their equipment with the Fire Department, test it annually, and notify the Fire Department of each time the device is used.